

## Message Text

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PAGE 01 BONN 20219 011240Z

44

ACTION EUR-12

INFO OCT-01 ISO-00 CIAE-00 DODE-00 PM-04 H-02 INR-07 L-03

NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15 USIA-06

ACDA-07 SAJ-01 AID-05 CEA-01 COME-00 EB-07 FRB-03

CIEP-01 STR-04 LAB-04 SIL-01 SAM-01 OMB-01 TRSY-02

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R 011227Z DEC 76

FM AMEMBASSY BONN

TO SECSTATE WASHDC 3737

INFO USMISSION USBERLIN

AMEMBASSY BERLIN

AMEMBASSY LONDON

AMEMBASSY MOSCOW

AMEMBASSY PARIS

USMISSION NATO BRUSSELS

USMISSION EC BRUSSELS

C O N F I D E N T I A L BONN 20219

E.O. 11652: GDS

TAGS: PFOR PGOV EEC WB GW US UK FR UR

SUBJECT: BERLIN AND EC DIRECT ELECTIONS: SOVIET  
PROTEST OF NOVEMBER 16

REFS: (A) MOSCOW 18740; (B) USBER 2488; (C) MOSCOW 18075

BEGIN SUMMARY. IN A DISCUSSION WITH FRG EMBASSY  
MOSCOW, A SOVIET OFFICIAL HAS ASSERTED A RIGHT OF "CO-  
DETERMINATION" ON THE EXTENSION OF TREATIES TO  
BERLIN -- AN ASSERTION THAT WILL NEED TO BE BORNE IN  
MIND IN CONNECTION WITH PREPARATION OF A RESPONSE TO THE  
SOVIET DEMARCHE OF NOVEMBER 16. END SUMMARY.

1. THE BONN GROUP ON NOVEMBER 30 HAD A SECOND DIS-  
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PAGE 02 BONN 20219 011240Z

CUSSION OF THE BASIC APPROACH TO BE USED IN RESPONDING

TO THE DEMARCHE WHICH THE SOVIETS GAVE TO ALLIED EMBASSIES IN MOSCOW ON NOVEMBER 16 (REF C). THE FRENCH REP (BOISSIEU) CIRCULATED A VERY TENTATIVE DRAFT OF WHAT MIGHT BE SAID ON THE EC ASPECTS OF THE DEMARCHE, BUT RESERVED JUDGMENT ON THE QUESTION OF WHETHER IT WOULD BE DESIRABLE TO MAKE A FULL REPLY OR SIMPLY TO STATE THAT THERE WAS NO CHANGE IN THE ALLIED POSITION AS EXPRESSED IN MOSCOW ON SEPTEMBER 20.

2. THE US, UK AND FRG REPS WERE ALL OF THE PRELIMINARY OPINION THAT, WHILE WE HAD IN FACT MADE OUR POSITION CLEAR ON BERLIN AND DIRECT ELECTIONS, THERE WERE OTHER ASPECTS OF THE NOVEMBER 16 SOVIET PROTEST WHICH SHOULD NOT BE LEFT UNANSWERED -- PARTICULARLY THE QUESTION WHICH THE SOVIETS REOPENED OF THE ORIGIN AND EXTENT OF ALLIED RIGHTS AND RESPONSIBILITIES IN BERLIN.

3. IN THIS CONNECTION, THE FRG REP (HENZE) REPORTED ON A RECENT CONVERSATION IN MOSCOW WITH TEREKHOV, DEPUTY HEAD OF THE THIRD EUROPEAN DEPARTMENT (GERMANY). IN RESPONSE TO A QUESTION FROM AN FRG EMBOFF AS TO WHY THE NOVEMBER 16 SOVIET DEMARCHE HAD TAKEN A HARDER POSITION ON CERTAIN POINTS THAN THE AUGUST 3 DEMARCHE, TEREKHOV REPORTEDLY RESPONDED THAT THE SOVIET POSITIONS WERE NOT NEW. THE SOVIETS FELT, HOWEVER, THAT THESE POSITIONS HAD TO BE EXPRESSED IN A CLEARER WAY BECAUSE THE THREE POWERS HAD MADE CERTAIN UNILATERAL STATEMENTS (NOT ELABORATED) WHICH COULD NOT GO UNANSWERED.

4. TEREKHOV CONTINUED THAT THE SOVIET STATEMENT OF NOVEMBER 16 SHOULD NOT BE UNDERSTOOD TO MEAN THAT TREATIES WHICH marginally TOUCHED ON MATTERS OF SECURITY AND STATUS COULD IN NO CASE BE EXTENDED TO WEST BERLIN. BUT THE SOVIET UNION COULD NOT LEAVE IT TO THE WESTERN POWERS ALONE TO DECIDE WHETHER AND TO WHAT EXTENT A TREATY AFFECTED MATTERS OF SECURITY AND STATUS. THE QA, TEREKHOV SAID, SET OUT THE RESERVATION ON SECURITY AND STATUS IN A MANNER WHICH AUTHORIZED THE SOVIETS TO CO-DETERMINE (MITZUBESTIMMEN) WHETHER THOSE CONDITIONS HAD BEEN MET. TEREKHOV CONCLUDED  
CONFIDENTIAL

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PAGE 03     BONN 20219 011240Z

WITH THE COMMENT THAT IT WOULD PERHAPS BE POSSIBLE TO FIND AN APPROPRIATE PROCEDURE.

5. BECAUSE OF THE LIKELY IMPORTANCE OF EC/BERLIN ISSUES IN THE FUTURE AND THE STRENGTH OF THE NOVEMBER 16 SOVIET DEMARCHE, THE BONN GROUP EXPECTS THAT THE REPLY TO THAT DEMARCHE SHOULD BE DISCUSSED AT THE DECEMBER 8 SENIOR LEVEL MEETING IN BRUSSELS. WE WILL

ENDEAVOR TO HAVE A DRAFT REPLY READY FOR CONSIDERATION  
AT THAT TIME. TEREKHOV'S COMMENTS STRENGTHEN THE  
EMBASSY'S VIEW THAT IT WILL BE DESIRABLE TO REPLY  
IN CONSIDERABLE DETAIL.  
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## Message Attributes

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**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
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